

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL ACTION
v. :
MIKE KNOX : NO. 10-147-3

ORDER

AND NOW, this 15th day of January, 2014, upon consideration of the government's Motion to Dismiss Second Petition Under 28 U.S.C. § 2255 (Docket #229), IT IS HEREBY ORDERED that said motion is GRANTED. The defendant has not filed a motion in the Court of Appeals seeking leave to file a second or successive petition pursuant to Title 28, United States Code, Section 2244(b) (3) (B), (C). The defendant waived in his plea agreement the right to present any collateral challenge to his conviction and sentence and has not alleged any miscarriage of justice sufficient to overcome that waiver. See United States v. Khattack, 273 F.3d 557 (3d Cir. 2001).

BY THE COURT:

/s/ Mary A. McLaughlin_____
MARY A. McLAUGHLIN, J.